

#3 0300

Attorney Docket No. 1497.1007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

William Randolph ABERNETHY

Application No.: 09/995,712

Group Art Unit: To be Assigned

Filed: November 29, 2001

Examiner: To be Assigned

For: EVENT TRACKING SYSTEM FOR A BASKET TRADING SYSTEM

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copies of IDS citations.
- 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☐ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

*(Check either Item 2a or 2b or 2c or 2d)*

- 2a. ☒ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

*(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR  
3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
☐ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND  
4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:  
☐ enclosed.  
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4 is checked)*

*(Check either Item 5a or 5b)*

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.  
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

*(Check appropriate Items 6a and/or 6b)*

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. \_\_, filed on \_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).  
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. \_\_, filed on \_\_, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114.

*(Check either Item 7a or 7b)*

- 7a. ☐ The Issue Fee has not been paid.  
7b. ☐ A Petition to Withdraw from issue under 37 CFR §1.313(c) is filed concurrently herewith or has been granted. A continuation application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.

8. ☐ This is a Supplemental Information Disclosure Statement.

*(Check either Item 8a or 8b)*

- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on \_\_\_\_\_. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on \_\_\_\_\_.  
8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed \_\_\_\_\_. (MPEP 609 C(1), Form ¶ 6.49, Rev. 1, Feb. 2000, pp. 600-107)

9. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:

*(Check appropriate Items 9a, 9b, 9c and/or 9d)*

- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)  
9b. ☐ set forth in the application.  
9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.  
9d. ☐ enclosed as Attachment 1(e), hereto.


10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

1497.1007

APPLICATION NO.

09/995,712

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

FIRST NAMED INVENTOR

William Randolph ABERNETHY

FILING DATE

November 29, 2001

GROUP ART UNIT

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,806,048	9/8/98	Kiron et al.	705	36	
	AB	5,812,669	9/22/98	Jenkins et al.	380	25	
	AC	5,845,266	12/1/98	Lupien et al.	705	37	
	AD	5,220,500	6/15/93	Baird et al.	364	408	
	AE	5,557,517	9/17/96	Daughterty, III	364	408	
	AF	5,193,056	3/9/93	Boes	364	408	
	AG	4,953,085	8/28/90	Atkins	364	408	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AH	WO00/16226	3/23/00	WIPO				
	AI	WO99/46658	9/16/99	WIPO				
	AJ	WO00/48111	8/17/00	WIPO				

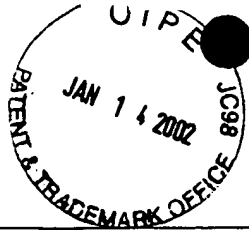
## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AK	Declaration of Marie A. Lenzi dated 12 August 1999
	AL	Volume 1, Issue 11, Distributed Computing, November 1998
	AM	Print-out from Business Line Website (www.hindubusinessline.com): "NSE tees off 'basket trading' in futures" by Deeptha Rajkumar, July 18, 2000
	AN	PCT International Search Report mailed May 14, 2001 issued by PCT International Searching Authority

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



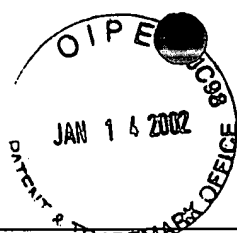
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FORM PTO-1449  <b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>LIST OF REFERENCES CITED BY APPLICANT</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. <b>1497.1007</b>	APPLICATION NO. <b>09/995,712</b>
	FIRST NAMED INVENTOR <b>William Randolph ABERNETHY</b>	
	FILING DATE <b>November 29, 2001</b>	GROUP ART UNIT

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AO	4,674,044	6/16/87	Kalmus et al	364	408	
	AP	4,412,287	10/25/83	Braddock, III	364	408	
	AQ	3,573,747	4/6/71	Adams et al.	340	172.5	
	AR	5,126,936	6/30/92	Champion et al.	364	408	
	AS	5,132,899	7/21/92	Fox	364	408	
	AT	5,148,365	9/15/92	Dembo	364	402	
	AU	4,597,046	6/24/86	Musmanno et al.	364	408	
	AV	4,346,442	8/24/82	Musmanno	364	408	
	AW	4,376,978	3/15/83	Musmanno	364	408	
	AX	5,809,483	9/15/98	Broka et al.	705	37	
	AY	5,794,207	8/11/98	Walker et al.	705	23	
	AZ	5,214,579	5/25/93	Wolfberg et al.	364	408	
	BA	5,563,783	10/8/96	Stolfo et al.	364	408	
	BB	5,497,317	3/5/96	Hawkins et al.	364	408	
	BC	5,644,727	7/1/97	Atkins	395	240	
	BD	5,262,942	11/16/93	Earle	364	408	
	BE	5,517,406	5/14/96	Harris et al.	364	408	
	BF	5,732,397	3/24/98	DeTore et al.	705	1	
	BG	5,745,383	4/28/98	Barber	364	554	

EXAMINER	DATE CONSIDERED
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>LIST OF REFERENCES CITED BY APPLICANT</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. <b>1497.1007</b>	APPLICATION NO. <b>09/995,712</b>
	FIRST NAMED INVENTOR <b>William Randolph ABERNETHY</b>	
	FILING DATE <b>November 29, 2001</b>	GROUP ART UNIT

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	BH	4,658,370	4/14/87	Erman et al.	364	513	
	BI	5,101,353	3/31/92	Lupien et al.	364	408	
	BJ	5,819,238	10/6/98	Fernholz	705	36	
	BK	5,732,397	3/24/98	DeTore et al.	705	1	
	BL	5,132,899	7/21/92	Fox	364	408	
	BM	5,517,406	5/14/96	Harris et al.	364	408	
	BN	5,193,056	3/9/93	Boes	364	408	
	BO	6,134,535	10/17/00	Belzberg	705	37	
	BP	5,946,667	8/31/99	Tull et al.	705	36	
	BQ	6,092,056	7/18/00	Tull, Jr. et al.	705	36	
	BR	6,161,098	12/12/00	Wallman	705	36	
	BS	6,278,982B1	8/21/01	Korhammer et al.	705	37	
	BT						
	BU						
	BV						
	BW						
	BX						

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